

Notice of Allowability	Application No.	Applicant(s)	
	10/633,078	APFEL, DARREN ALEXANDER	
	Examiner	Art Unit	
	DANH C. LE	2683	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 8/1/03.
2. ☒ The allowed claim(s) is/are 1-39.
3. ☒ The drawings filed on 01 August 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| <ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date <u>1/09/04, 2/27/04</u> 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. 7. <input type="checkbox"/> Examiner's Amendment/Comment 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other _____. |
|---|--|

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on 01/09/04 and 2/27/04 have been considered by the examiner and made of record in the application file.

Allowable Subject Matter

2. The following is an examiner's statement of reasons for allowance:

Claims 1-39 are allowed.

As to claims 1 and 13, Pagel et al (US 2004/0179672) teaches system and method for updating contact record, Crocker et al (US 2005/0009537) teaches method and apparatus for facilitating wireless presence base services, Sheha et al (US 2005/0032527) teaches method and system for collecting synchronizing, and reporting telecommunication call events and work flow related information, Hoffman et al (US 2003/02200898) teaches method and system for managing and/or transferring information, Hickey et al (US 2002/0087646) teaches system and method for group electronic mailbox, Agrawai (US 2002/0083127) teaches method and system for providing application level presence information in wireless communication, Barsness (US 2004/0117443) teaches method and apparatus for managing instant messaging, Sommerer (US 2004/0158613) teaches method and system for automatically updating contact information within a contact database. The teaching of above prior arts either alone or in combination fails to teach designating at least one contact as an automatic live contact to be updated as new information becomes available, with any remaining contacts being designated as other contacts that will not be updated as new information

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becomes available in order to control airtime, bandwidth, or processing requirements at the mobile phone, periodically receiving through the mobile phone carrier automatic contact and metadata information updates initiated by the data service provider for the at least one automatic live contact and updating the at least one automatic live contact with the received updates so that an appropriate form of communication may be initiated using accurate contact and metadata for the automatic live contact.

Dependent claims 2-12, 13-23 are allowable for the same reason.

As to claims 24 and 31, Pagel et al (US 2004/0179672) teaches system and method for updating contact record, Crocker et al (US 2005/0009537) teaches method and apparatus for facilitating wireless presence base services, Sheha et al (US 2005/0032527) teaches method and system for collecting synchronizing, and reporting telecommunication call events and work flow related information, Hoffman et al (US 2003/02200898) teaches method and system for managing and/or transferring information, Hickey et al (US 2002/0087646) teaches system and method for group electronic mailbox, Agrawai (US 2002/0083127) teaches method and system for providing application level presence information in wireless communication, Barsness (US 2004/0117443) teaches method and apparatus for managing instant messaging, Sommerer (US 2004/0158613) teaches method and system for automatically updating contact information within a contact database. The teaching of above prior arts either alone or in combination fails to teach identifying each contact as either an automatic live contact to be synchronized as new information becomes available or as an other contact that will not be synchronized as new information becomes available, periodically

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applying automatic contact and metadata information updates received through the mobile phone carrier from the data service provider to one or more contacts identifier as automatic live contacts, and initiating a form of communication with the one or more contacts identified as automatic live contacts based on the updated contact and metadata information for the one or more automatic live contacts.

Dependent claims 25-30, 32-39 are allowable for the same reason.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANH C. LE whose telephone number is 571-272-7868. The examiner can normally be reached on 8:00AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WILLIAM TROST can be reached on 571-272-7872. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "danh", is written over a horizontal line.

July 8, 2005.

DANH CONG LE
PATENT EXAMINER